

DEPARTMENT OF HOMELAND SECURITY U.S. CUSTOMS AND BORDER PROTECTION NOTICE OF PENALTY OR LIQUIDATED DAMAGES INCURRED AND DEMAND FOR PAYMENT 19 USC 1618 AND 19 USC 1623		Case Number 2021012230000301	
		Port Code and Name 0122 JONESPORT	
		22370287500	
TO: AMERICAN SEAFOODS COMPANY LLC 2025 1ST AVE STE 900 SEATTLE, WA 98121-2154			
<p>Demand is hereby made for payment of <u>\$3,048,864.91</u> , representing <input checked="" type="checkbox"/> Penalties <input type="checkbox"/> Liquidated damages assessed against you for violation of law or regulation, or breach of bond, as set forth below:</p> <p>On 09/05/2017, the vessel Andalucia Star with country of flagging BAHAMAS, which is not documented for the coastwise trade, engaged in the transportation of the following merchandise Frozen Seafood between ANCHORAGE where the merchandise was laden and CALAIS where it was unladen, both points in the United States. You are liable for a civil monetary penalty for this activity equal to the value of the merchandise transported or the value of the transportation, whichever is greater.</p> <p>The subject merchandise was originally laden onto a non-coastwise qualified vessel at Dutch Harbor, Alaska, United States; shipped by the non-coastwise qualified vessel to Bayside, New Brunswick, Canada; and subsequently transported to Calais, Maine, United States. Both Dutch Harbor and Calais are points embraced within the coastwise laws of the United States. Accordingly, as the shipper in this case, you transported or caused the transportation of merchandise between coastwise points in the United States by way of a foreign port in violation of 46 U.S.C. § 55102 and 19 C.F.R. § 4.80. The violation date noted above is the first date the merchandise was entered at the port of Calais, Maine. The penalty amount represents the appraised value of the merchandise. Original documents should be mailed to the address indicated below. You may also contact CBP regarding this notice at portlandmainejonesact@cbp.dhs.gov. 1701 4-2</p>			
LAW OR REGULATION VIOLATED		BOND BREACHED	
46 USC 55102, 19 CFR 4.80(b), 19 CFR 113.64		Bond Activity Type: 3 Bond #: 9912MI825	
Description of Bond International Carrier	Bond Type 8	Amount \$50000.00	Bond Effective Date 09/05/2012
Name and Address of Principal on Bond AMERICAN SEAFOODS COMPANY LLC 2025 1ST AVE STE 900 SEATTLE, WA 98121-2154			
Name and Address of Surety on Bond WESTCHESTER FIRE INSURANCE CO. 6 MILL RIDGE LN CHESTER, NJ 07930-2486		Surety Identification No 897	

EXHIBIT 1
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<p>If you feel there are extenuating circumstances, you have the right to object to the above action. Your petition should explain why you should not be penalized for the cited violation. Write the petition as a letter or in legal form; submit in duplicate, addressed to the Fines, Penalties and Forfeitures Officer at: FPF OFFICE, 155 GANNETT DRIVE, RM 55, SOUTH PORTLAND, ME 04106-4110.</p>		
<p>Unless the amount herein demanded is paid or a petition for relief is filed with the FP&F officer within the indicated time limit, further action will be taken in connection with your bond or the matter will be referred to the Justice Department. Payment may be made through pay.gov or by remitting to the address above. Any partial payments will not be considered an accord and satisfaction of the claim.</p>		TIME LIMIT FOR PAYMENT OR FILING PETITION FOR RELIEF 60 days from the date of this notice
Signature WILLIAM POLICANO	Title FPF Officer (207) 771-3600	Date 08/09/2021

155 Gannett Drive
South Portland, ME 04106



**U.S. Customs and
Border Protection**

Date: 12 August 2021

Company Name: AMERICAN SEAFOODS COMPANY LLC

FP&F Case Number: 2021012230000301

U.S. Customs and Border Protection requests that AMERICAN SEAFOODS COMPANY LLC complete and return the enclosed statute of limitations waiver along with a corporate resolution authorizing the person signing the waiver to do so on behalf of AMERICAN SEAFOODS COMPANY LLC, if applicable.

The waiver, along with the response to the enclosed Notice of Penalty, should be returned within sixty (60) days from the date of this notice.

Should you require additional information, you may contact us at the address above or via email at portlandmainejonesact@cbp.dhs.gov.

Respectfully,

A handwritten signature in blue ink, appearing to read "W Policano".

William Policano
Fines, Penalties and Forfeitures Officer

Enclosures

STATUTE OF LIMITATIONS WAIVER FORM

Company Name: AMERICAN SEAFOODS COMPANY LLC

FP&F Case Number: 2021012230000301

Fines, Penalties and Forfeitures Officer
U.S. Customs & Border Protection
155 Gannett Drive
South Portland, ME 04106

Dear Fines, Penalties and Forfeitures Officer:

AMERICAN SEAFOODS COMPANY LLC hereby waives the period of limitations contained in Title 19, United States Code, Section 1621 and any other applicable statute(s) of limitations with respect to all U.S. Customs and Border Protection (CBP) entries of FROZEN SEAFOOD at Port of Calais, Maine from September 5, 2017 to the present for a period of two (2) years. The two-year period for this waiver commences with the date of execution. AMERICAN SEAFOODS COMPANY LLC agrees that it will not assert any statute of limitations defense in any action brought by the United States Government concerning the entries designated above with respect to the two-year period for which the statute of limitations is hereby waived.

AMERICAN SEAFOODS COMPANY LLC makes this waiver knowingly and voluntarily in order that it might obtain the benefits of the orderly continuation and conclusion of an administrative proceeding currently being conducted or contemplated by CBP, in which CBP is reviewing all of the entries, including the entries designated above, by AMERICAN SEAFOODS COMPANY LLC from September 5, 2017 to the present.

Name Title

Address

Signature Date

I hereby acknowledge receipt and acceptance of the above waiver.

Fines, Penalties and Forfeitures Officer Date

CORPORATE RESOLUTION

I, _____, do hereby certify that I am duly elected, qualified, and acting _____ of _____ (the "Corporation"), and do hereby further certify that attached hereto is a true and correct copy of a resolution duly adopted by the Board of Directors of the Corporation by unanimous written consent, and that said resolution has not been modified or rescinded and remains in full force and effect.

In witness whereof, I have hereunto affixed my signature this _____ day of _____, 2021.

Signature